



**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

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August 3, 2005

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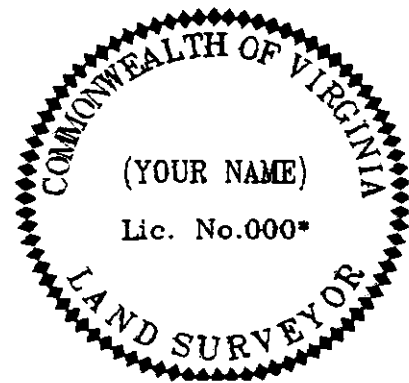
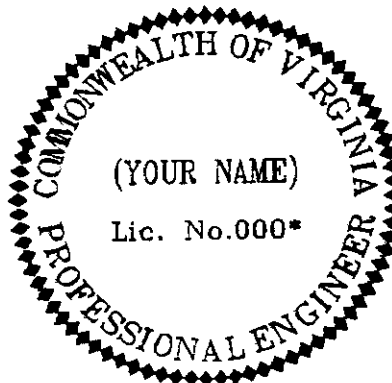
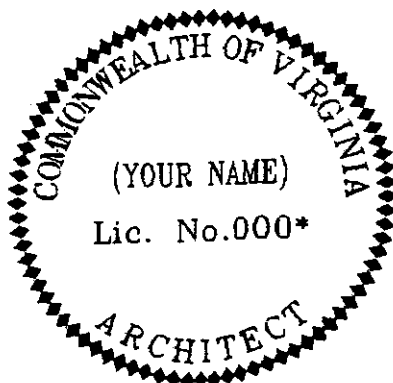
Dear Mr. Rodgers:

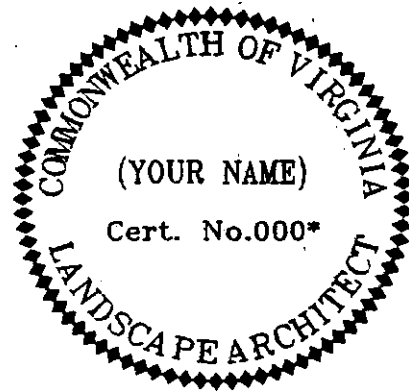
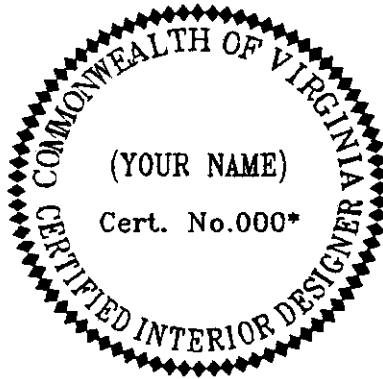
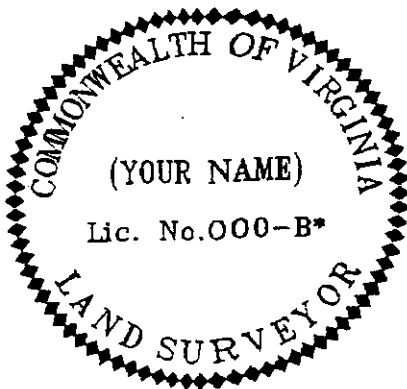
The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) asked that I share the following information with you regarding the seals of regulants of the APELSCIDLA Board. Recently the Board learned that local officials may be facing situations in which: (1) individuals, who are not regulants of the Board, are using seals that are made to resemble the seals for the Board's regulants; or (2) individuals with expired licenses and/or firms that are not registered with the APELSCIDLA Board are submitting plans for review and approval by various municipal/governmental agencies. It is our hope that you will share this information with building officials and any other persons at the local level who may benefit from this information in carrying out their assigned duties. For your reference, below are examples of the seals of the regulants of the board:

"18 VAC 10-20-760. Use of seal.

...

"B.6. The seal shall conform in detail and size to the design illustrated below and shall be two inches in diameter. The designs below may not be shown to scale:





“\* The number referred to is the last six-digit number as shown on the license or certificate. The number is permanent. Leading zeros contained in the six-digit number may be omitted from the seal.”

Note: While Certified Interior Designers are required to seal their work per the APELSCIDLA Board's regulations, a specific format of their seal is not yet included in the regulations. A seal that substantially complies with the above is acceptable for Certified Interior Designers until such time as a specified format is included in the Board's regulations.

In addition, § 54.1-410.B of the *Code of Virginia* states the following:

“§ 54.1-410. Other building laws not affected; duties of public officials.

“B. Any public body authorized by law to require that plans, specifications or calculations be prepared in connection with improvements to real property shall establish a procedure to ensure that such plans, specifications or calculations be prepared by an architect, professional engineer, land surveyor or landscape architect licensed, certified or authorized pursuant to this chapter [emphasis added] in any case in which the exemptions contained in §§ 54.1-401, 54.1-402 or § 54.1-402.1 are not applicable.

“Drafting of permits, reviewing of plans or inspection of facilities for compliance with an adopted code or standard by any public body or its designated agent shall not require the services of an architect, professional engineer, land surveyor or landscape architect licensed or certified pursuant to this chapter.”

In determining whether a project requires the seal of a regulant of the APELSCIDLA Board, local officials should review the definitions of what constitutes the practice of each profession as noted in § 54.1-400 of the *Code of Virginia* as well the exemptions contained in § 54.1-402. Further, Charts A, B and C contained in the *Building and Fire Code Related Laws Package of the 2000 Edition of the Virginia Uniform Statewide Building Code* are also instrumental in ascertaining which projects require the seal of a professional.

While § 54.1-410.B of the *Code of Virginia* states that plans shall be “... prepared by an architect, professional engineer, land surveyor or landscape architect ...”, the determination of which professional seal is required is a function of the project. In other words, a land surveyor should not be sealing a set of plans for a bridge -- as such work falls outside the definition of the practice of land

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surveying -- which constitutes the practice of engineering and thus requires the seal of a professional engineer. If a seal is not required, but a professional licensed/certified by the APELSCIDLA Board prepares the documents, then the regulant is required to seal the work pursuant to regulation 18 VAC 10-20-760.B.4.

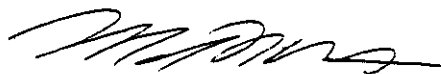
Once a local official determines the type of professional necessary for a project, it is important to verify the status of the professional's license by using the *License Lookup* feature of our website which may be found at: [www.dpor.virginia.gov](http://www.dpor.virginia.gov) (then select the *License Lookup* feature on the left side of the screen). In addition, if the individual is working for a firm (not a sole proprietorship), verification should include the firm registration (also available through the *License Lookup* feature). Of course, Board staff is also available to assist with individual and firm verification by calling (804) 367-8512.

Finally, local officials should ensure that the format of the professional's seal corresponds to the size and design requirements contained in regulation 18 VAC 10-20-760.B and is properly signed and dated. The seal should be hand-signed and hand-dated across its face unless the documents are submitted electronically and the provisions of the APELSCIDLA Board's regulations regarding electronic seals and signatures have been satisfied (see regulation 18 VAC 10-20-760.B.1.a). In addition, local officials may also be interested in reviewing the requirements contained in regulation 18 VAC 10-20-760.B.1 regarding the need for "final documents" submitted for review to contain original seals which have been hand-signed and hand-dated, and when it is appropriate for copies of such documents to be submitted.

The Board would appreciate learning when and to whom you distribute this information, and stands ready to assist your efforts to increase awareness among interested parties at the local level throughout Virginia. Please let us know who this was sent to and when. Please feel free to contact me at (804) 367-8514 or at the address on the first page of this letter with any questions you may have.

Sincerely,

APELSCIDLA BOARD



Mark N. Courtney  
Executive Director

Attachment

MNC

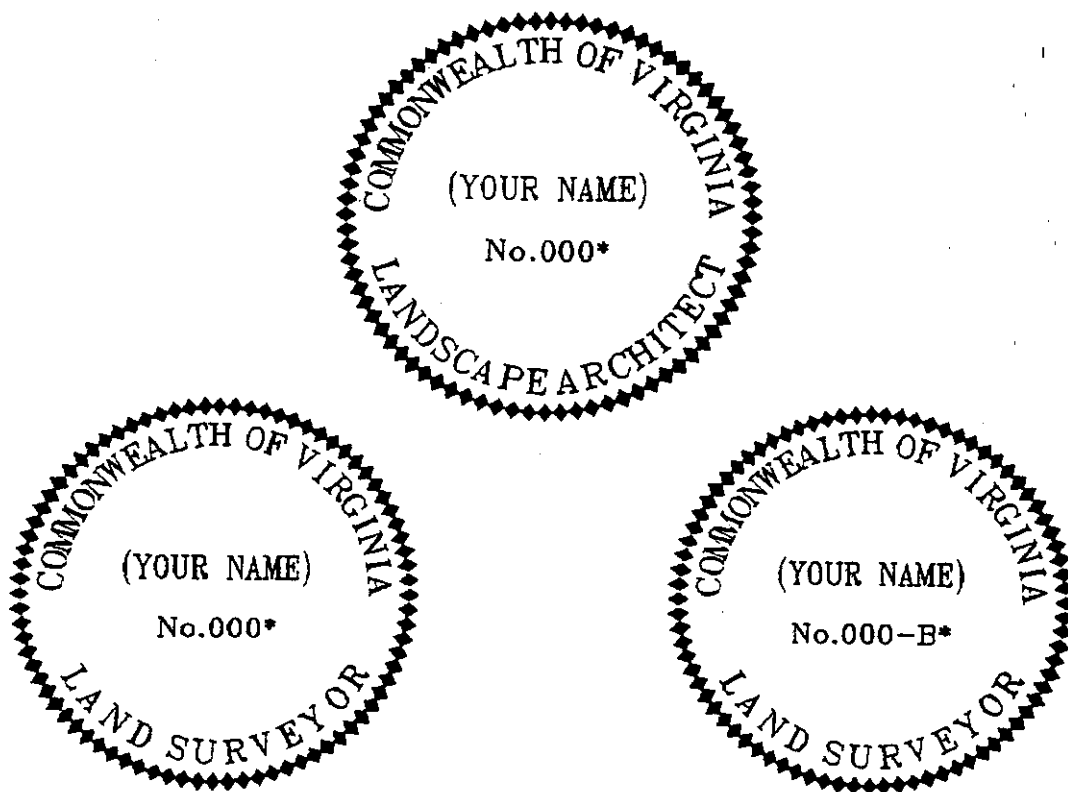
**18 VAC 10-20-760. Use of seal.**

- A. The application of a professional seal shall indicate that the professional has exercised complete direction and control over the work to which it is affixed. Therefore, no regulant shall affix a name, seal or certification to a plat, design, specification or other work constituting the practice of the professions regulated which has been prepared by an unlicensed or uncertified person or firm unless such work was performed under the direction and supervision of the regulant while under the regulant's contract or while employed by the same firm as the regulant. If a regulant is unable to seal completed professional work, such work may be sealed by another regulant only after thorough review and verification of the work has been accomplished to the same extent that would have been exercised if the work had been done under the complete direction and control of the regulant affixing the professional seal.
- B. A regulant shall apply a stamp or a preprinted or electronic seal to final and complete original cover sheets of plans, drawings, plats, technical reports and specifications and to each original sheet of plans, drawings or plats, prepared by the regulant or someone under his direct control and personal supervision.
  - 1. All seal imprints on the cover or first sheet of final documents shall bear an original signature and date. "Final Documents" are completed documents or copies submitted on a client's behalf for approval by authorities or recordation. In such cases, the cover sheet of the documents or copies shall contain a list of drawings included in the set on which a seal, original signature and date shall be affixed for all regulated disciplines. Every page of the submission, other than the cover, may be reproduced from originals which contain the seal, original signature and date by each discipline responsible for the work.
    - a. An electronic seal, signature and date is permitted to be used in lieu of an original seal, signature and date when the following criteria, and all other requirements of this section, are met:
      - 1. It is a unique identification of the professional;
      - 2. It is verifiable;
      - 3. It is under the professional's direct and sole control;
      - 4. It is linked to the document file in such a manner that changes are readily determined and visually displayed if any data contained in the document file was changed subsequent to the electronic seal, signature and date having been affixed to the document; and
      - 5. Changes to the document after affixing the electronic seal, signature and date shall cause the electronic seal, signature

and date to be removed or altered in such a way as to invalidate the electronic seal, signature and date.

- b. In addition, once the electronic seal, signature and date is applied to the document, the document shall be in a view-only format if the document is to be electronically transmitted.
2. Incomplete plans, documents and sketches, whether advance or preliminary copies, shall be so identified on the plan, document or sketch and need not be sealed, signed or dated.
3. All plans, drawings or plats prepared by the regulant shall bear the regulant's name or firm name, address and project name.
4. The seal of each regulant responsible for each profession shall be used and shall be on each document that was prepared under the regulant's direction and for which that professional is responsible. If one of the exemptions found in § 54.1-402 of the Code of Virginia is applicable, a professional licensed or certified by this board shall nevertheless apply his seal to the exempt work.
5. Application of the seal and signature indicates acceptance of responsibility for work shown thereon.
6. The seal shall conform in detail and size to the design illustrated below and shall be two inches in diameter. The designs below may not be shown to scale:





\* The number referred to is the last six-digit number as shown on the license or certificate. The number is permanent. Leading zeros contained in the six-digit number may be omitted from the seal.

#### § 54.1-400. Definitions.

As used in this chapter unless the context requires a different meaning:

"*Architect*" means a person who, by reason of his knowledge of the mathematical and physical sciences, and the principles of architecture and architectural design, acquired by professional education, practical experience, or both, is qualified to engage in the practice of architecture and whose competence has been attested by the Board through licensure as an architect.

The "*practice of architecture*" means any service wherein the principles and methods of architecture are applied, such as consultation, investigation, evaluation, planning and design, and includes the responsible administration of construction contracts, in connection with any private or public buildings, structures or projects, or the related equipment or accessories.

"*Board*" means the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects.

"*Certified interior designer*" means a design professional who meets the criteria of education, experience, and testing in the rendering of interior design services established by the Board through certification as an interior designer.

"*Certified landscape architect*" means a person who, by reason of his special knowledge of natural, physical and mathematical sciences, and the principles and methodology of landscape architecture and landscape architectural design acquired by professional education, practical

experience, or both, is qualified to engage in the practice of landscape architecture and whose competence has been attested by the Board through certification as a landscape architect.

The "*practice of landscape architecture*" by a certified landscape architect means any service wherein the principles and methodology of landscape architecture are applied in consultation, evaluation, planning (including the preparation and filing of sketches, drawings, plans and specifications) and responsible supervision or administration of contracts relative to projects principally directed at the functional and aesthetic use of land.

"*Improvements to real property*" means any valuable addition or amelioration made to land and generally whatever is erected on or affixed to land which is intended to enhance its value, beauty or utility, or adapt it to new or further purposes. Examples of improvements to real property include, but are not limited to, structures, buildings, machinery, equipment, electrical systems, mechanical systems, roads, and water and wastewater treatment and distribution systems.

"*Interior design*" by a certified interior designer means any service rendered wherein the principles and methodology of interior design are applied in connection with the identification, research, and creative solution of problems pertaining to the function and quality of the interior environment. Such services relative to interior spaces shall include the preparation of documents for nonload-bearing interior construction, furnishings, fixtures, and equipment in order to enhance and protect the health, safety, and welfare of the public.

"*Land surveyor*" means a person who, by reason of his knowledge of the several sciences and of the principles of land surveying, and of the planning and design of land developments acquired by practical experience and formal education, is qualified to engage in the practice of land surveying, and whose competence has been attested by the Board through licensure as a land surveyor.

The "*practice of land surveying*" includes surveying of areas for a determination or correction, a description, the establishment or reestablishment of internal and external land boundaries, or the determination of topography, contours or location of physical improvements, and also includes the planning of land and subdivisions thereof. The term "planning of land and subdivisions thereof" shall include, but not be limited to, the preparation of incidental plans and profiles for roads, streets and sidewalks, grading, drainage on the surface, culverts and erosion control measures, with reference to existing state or local standards.

"*Professional engineer*" means a person who is qualified to practice engineering by reason of his special knowledge and use of mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design acquired by engineering education and experience, and whose competence has been attested by the Board through licensure as a professional engineer.

The "*practice of engineering*" means any service wherein the principles and methods of engineering are applied to, but are not necessarily limited to, the following areas: consultation, investigation, evaluation, planning and design of public or private utilities, structures, machines, equipment, processes, transportation systems and work systems, including responsible administration of construction contracts. The term "practice of engineering" shall not include the service or maintenance of existing electrical or mechanical systems.

"*Responsible charge*" means the direct control and supervision of the practice of architecture, professional engineering, or land surveying.

**§ 54.1-402. Further exemptions from license requirements for architects and professional engineers.**

A. No license as an architect or professional engineer shall be required pursuant to § 54.1-406 for persons who prepare plans, specifications, documents and designs for the following, provided any such plans, specifications, documents or designs bear the name and address of the author and his occupation:

1. Single- and two-family homes, townhouses and multi-family dwellings, excluding electrical and mechanical systems, not exceeding three stories; or
2. All farm structures used primarily in the production, handling or storage of agricultural products or implements, including, but not limited to, structures used for the handling, processing, housing or storage of crops, feeds, supplies, equipment, animals or poultry; or
3. Buildings and structures classified with respect to use as business (Use Group B) and mercantile (Use Group M), as provided in the Uniform Statewide Building Code and churches with an occupant load of 100 or less, excluding electrical and mechanical systems, where such building or structure does not exceed 5,000 square feet in total net floor area, or three stories; or
4. Buildings and structures classified with respect to use as factory and industrial (Use Group F) and storage (Use Group S) as provided in the Uniform Statewide Building Code, excluding electrical and mechanical systems, where such building or structure does not exceed 15,000 square feet in total net floor area, or three stories; or
5. Additions, remodeling or interior design without a change in occupancy or occupancy load and without modification to the structural system or a change in access or exit patterns or increase in fire hazard; or
6. Electric installations which comply with all applicable codes and which do not exceed 600 volts and 800 amps, where work is designed and performed under the direct supervision of a person licensed as a master's level electrician or Class A electrical contractor by written examination, and where such installation is not contained in any structure exceeding three stories or located in any of the following categories:
  - a. Use Group A-1 theaters which exceed assembly of 100 persons;
  - b. Use Group A-4 except churches;
  - c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems; or
7. Plumbing and mechanical systems using packaged mechanical equipment, such as equipment of catalogued standard design which has been coordinated and tested by the manufacturer, which comply with all applicable codes. These mechanical systems shall not exceed gauge pressures of 125 pounds per square inch, other than refrigeration, or temperatures other than flue gas of 300° F (150° C) where such work is designed and performed under the direct supervision of a person licensed as a master's level plumber, master's level heating, air conditioning and ventilating worker, or Class A contractor in those specialties by written examination. In addition, such installation may not be contained in any structure exceeding three stories or located in any structure which is defined as to its use in any of the following categories:
  - a. Use Group A-1 theaters which exceed assembly of 100 persons;



b. Use Group A-4 except churches;

c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems; or

8. The preparation of shop drawings, field drawings and specifications for components by a contractor who will supervise the installation and where the shop drawings and specifications (i) will be reviewed by the licensed professional engineer or architect responsible for the project or (ii) are otherwise exempted; or

9. Buildings, structures, or electrical and mechanical installations which are not otherwise exempted but which are of standard design, provided they bear the certification of a professional engineer or architect registered or licensed in another state, and provided that the design is adapted for the specific location and for conformity with local codes, ordinances and regulations, and is so certified by a professional engineer or architect licensed in Virginia; or

10. Construction by a state agency or political subdivision not exceeding \$75,000 in value keyed to the January 1, 1991, Consumer Price Index (CPI) and not otherwise requiring a licensed architect, engineer, or land surveyor by an adopted code and maintenance by that state agency or political subdivision of water distribution, sewage collection, storm drainage systems, sidewalks, streets, curbs, gutters, culverts, and other facilities normally and customarily constructed and maintained by the public works department of the state agency or political subdivision.

B. No person shall be exempt from licensure as an architect or engineer who engages in the preparation of plans, specifications, documents or designs for:

1. Any unique design of structural elements for floors, walls, roofs or foundations; or

2. Any building or structure classified with respect to its use as high hazard (Use Group H).

C. Terms used in this section, and not otherwise defined in this chapter, shall have the meanings provided in the Uniform Statewide Building Code in effect on July 1, 1982, including any subsequent amendments.